

**CITY OF DANBURY**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

Mazzucco PE said there was some confusion about the response from the Highway Dept. He they are working on that and they have not received hydrant test data for the two hydrants on Rt. 37. They need this information to continue with the sewer and water hook-ups plan. He said they will provide fire flow data once that information is received. Mr. Beaver also a note was added to plans about maintaining the tree line during construction.

Mrs. Emminger reviewed the seven comments received from the City traffic Engineer. She added that most of these comments were about things that are not part of this proposal and the Dept. feels the applicant should not have to comply with them. She said Mr. Mazzucco responded but there have been no further comments from Mr. Mohammed. Mr. Mazzucco said they are hoping the State does come through with their widening of the area. Mrs. Emminger said Staff had met with the applicant about the improvements and we do have the right to request these improvements. He has been informed that the project will be conditioned that the improvements must be done before either zoning permit is issued or a certificate of occupancy is issued. She said they need to work out the timing of the improvements and also, if the applicant has to do the improvements, it will only be along the site frontage. Mrs. Emminger said our main concern is the alignment of the intersection. Chairman Finaldi asked if these sidewalks will go anywhere and Mr. Mazzucco said not really, they will end in front of the Amber Room.

Chairman Finaldi asked if there was anyone to speak in opposition to this application and there was no one.

Mr. Urice made a motion to continue the public hearing. Mr. Keller seconded the motion and it was passed

[illegible]

Regina K. O'Hara, Jose Alvarado & Holly Drew – Application for Special Exception for Cluster Development ("Hidden Glen") in the RA-20 Zone – 33 Golden Hill Rd. (#H11133 & portion of #H11131) – SE #661. *Public hearing opened 8/15/07 – 35 days will be up 9/19/07.*

Tony Lucera said they have responded to all comments and everyone is satisfied. Mrs. Emminger said she had discovered the bus shelter was placed within the front yard setback and since we do consider it an accessory building, it had to be moved. She added that this has been done and the revised plan has been reviewed. Mr. Lucera read their response to Mr. Mohamed into the record. He then said he had met with the Planning Director and he will amend the Zoning Regulations to make the change about the accessory buildings for bus shelters.

Chairman Finaldi asked if there was anyone to speak in opposition to this application and there was no one.

Mr. Urice made a motion to close the public hearing. Mr. Manuel seconded the motion and it was passed unanimously.

[illegible]

OLD BUSINESS FOR CONSIDERATION AND POSSIBLE ACTION:

John B. DeGross Jr. – Request for Waiver to Sec. B.11 of the Subdivision Regulations in conjunction with Application for two (2) lot subdivision (2.37 acres) “Marjorie Woods” in the RA-20 Zone – 19 Hamilton Dr. (#G04072) – Subdivision Code #07-03. *Public hearing closed 9/5/07 – 65 days will be up 11/9/07.*

Mrs. Emminger reviewed the resolution she had prepared for these applications. The Commission must first decide on the waiver before they can vote on the subdivision. She said this is a standard resolution for a subdivision; they do need to add a note to mylar about being located within watershed. Mr. Urice made a motion to approve the waiver based on the resolution. Mr. Manuel seconded the motion and it was passed unanimously.

John B. DeGross Jr. – Application for two (2) lot subdivision (2.37 acres) “Marjorie Woods” in the RA-20 Zone – 19 Hamilton Dr. (#G04072) – Subdivision Code #07-03. *No public hearing - first 65 days were up 7/20/07- 65 day extension granted to 9/23/07.*

Chairman Finaldi said since they had approved the waiver, they could now vote on the actual subdivision application. Mr. Deeb made a motion to approve this subdivision per the resolution. Mr. Keller seconded the motion and it was passed unanimously.

[illegible]

GRC Property Investment & Development, LLC – Application for five (5) lot re-subdivision (5.195 acres) “The Tarrywile Wood” in the RA-20 Zone – 20 Southern Blvd & 6 Brushy Hill Rd. (#116238 & #117021) – Subdivision Code #07-02. This application has received EIC approval. *Public hearing closed 9/5/07 – 65 days will be up 11/9/07.*

Mrs. Emminger said she wanted to point out that this resolution specifically prohibits any development on lot 2 without an approval from the Planning Commission. She added that the EIC put the same restriction on their decision and they need to add the language to mylar. She said it also includes language that states failure to comply with the utility plan shall render the approval null and void. She said there are prerequisites for the issuance of a zoning permit; the conservation easement must be filed on the land records. This will satisfy the open space requirement and also the EIC condition of approval. This requirement also means this rear part of the parcel will never be developed. She said there is an additional requirement for a final plan showing the contours and utility plan compliance. Additionally, regarding the blasting issue, they have submitted the requested documentation and it is under the Fire Marshal's purview. They have their own requirements which must be met, so it is covered. Mr. Urice motion to approve per resolution. Mr. Keller seconded the motion and it was passed unanimously.

[illegible]

There was no new business on the agenda.

REFERRALS:

8-24 Referral/February '06 CC Agenda Item #26 – Eagle Road Center LLC/Transfer of Property to City of Danbury. Tabled pending receipt of additional information.